

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

INTERSCOPE RECORDS, et al.,

Plaintiffs,

VS.

JESSICA DAVIES,

Defendant.

8:05CV301

ORDER AND NOTICE OF HEARING

Mark D. Fitzgerald has filed a motion for leave to withdraw as counsel for the defendant (filing 14).

IT IS ORDERED:

1. The Motion to Withdraw (filing 14) is set for hearing on **Tuesday, February 7, 2006, at 3:00 p.m.**, in Courtroom No. 6, second floor, Roman L. Hruska United States Courthouse, 111 South 18th Plaza, Omaha, Nebraska.

2. Defendant, Jessica Davies, is required to personally attend the February 7, 2006 hearing.

3. Moving counsel shall serve

- a. a copy of the Motion to Withdraw, and
- b. a copy of this Order and Notice of Hearing

on Jessica Davies at Davies' last known address, and shall electronically file proof of service with the court on or before the close of business on January 31, 2006.

4. The parties are advised that the hearing will not be necessary and will be cancelled if (a) the motion is withdrawn, or (b) defendant retains substitute counsel and substitute counsel enters a written appearance by **1:00 p.m. on Monday, February 6, 2006**. The written appearance must be timely filed with the Clerk of the Court. Communication by facsimile or telephone will not satisfy the requirement of a written appearance.

5. The parties' obligation to meet and confer pursuant to Fed. R. Civ. P. 26(f) is hereby suspended until the Motion to Withdraw is resolved.

DATED January 10, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge